

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hyae Gyeong Cheon, et al.

Group Art Unit: 4161

Serial No.: 10/599,913

Examiner: Bong-Sook Baek

Filed: October 23, 2006

Confirmation No.: 6550

For: INDENE DERIVATIVES AND PROCESS FOR THE PREPARATION
THEREOF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Sir:

In response to the outstanding Restriction Requirement under 35 USC 121 and 35 USC 372 dated May 9, 2008, Applicant elects Group I inclusive of claims 1-4, 8 and 9 drawn to a compound and a composition, and chooses as the elected species i) 1-hydroxy-6-(2-morpholine-4-ylethoxy)-1,3-diphenyl-1H-indene-2-carboxylic acid ethyl ester (Example 8), which corresponds to an indene derivative of Formula (I) wherein R_{1a} is OH, R_{1b} is phenyl, R_2 is CO₂-ethyl, R_3 is phenyl, R_4 , R_5 and R_7 are each hydrogen, and R_6 is OCH₂CH₂N(CH₂CH₂)₂O.

Applicant further elects diabetes from the different disease conditions.

The above election is made without traverse.

The Commissioner is authorized to deduct any fees required in the prosecution of this application to Deposit Account No. 504581.

Respectfully submitted,

Dated: June 4, 2008

By: 

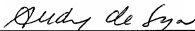
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CERTIFICATE OF TRANSMISSION

I hereby certify that this Response is being submitted to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 via EFS-Web on June 5, 2008.



Audrey de Souza